

4VAC15-90-241

Game: Deer: Checking deer by persons exempt from license requirement or holding a license authorization number.

Summary:

The proposal is to (i) remove text related to checking, check stations, and check cards, (ii) simplify wording where possible and break the regulation into a simpler and more logical order, and (iii) amend the section on mandatory disease testing to include mandatory drop off of deer heads from designated areas on designated days.

Proposed language of amendment:

4VAC15-90-241. **Checking Reporting** deer by persons exempt from license requirement or holding a license authorization number.

A. Upon killing a deer, any person (i) exempt from license requirement as prescribed in § [29.1-301](#) of the Code of Virginia, (ii) issued a complimentary license as prescribed in § [29.1-339](#) of the Code of Virginia, (iii) holding a permanent license issued pursuant to § [29.1-301](#) E of the Code of Virginia, or (iv) holding a Virginia license authorization number issued by a telephone or electronic media agent pursuant to § [29.1-327](#) B of the Code of Virginia shall, upon vehicle transport of the carcass or at the conclusion of legal hunting hours, whichever occurs first, and without unnecessary delay, ~~present the carcass to an authorized checking station or to any appropriate representative of the department in the county or adjoining county in which the deer was killed or~~ report the kill through the department's automated harvest reporting system. ~~All deer killed after the first Saturday in January (as prescribed in 4VAC15-90-22 and 4VAC15-90-70) must be checked by telephone or Internet.~~ At such time, the person ~~checking or~~ reporting the carcass shall be given ~~a game check card furnished by the department or~~ a confirmation number ~~from the automated reporting system. If checked at a big game check station, the game check card must be kept in possession with the carcass until the carcass is processed. If the carcass is left unattended, the game check card must be securely attached to the carcass. If the kill is reported using the automated harvest reporting system,~~ [†] The successful hunter shall immediately create written documentation including the successful hunter's full name, the date the animal was killed, and the confirmation number. This written documentation must be kept in possession with the carcass until the carcass is processed. If the ~~automated harvest reported~~ carcass is transferred to the possession of another individual, the written documentation must be transferred with the carcass to the individual and kept in possession with the carcass until the carcass is processed. If the carcass is left unattended, this written documentation must be securely attached to the carcass. ~~Processed carcass parts of a deer killed legally in Virginia may be transported; however, upon request of any authorized law enforcement officer, sufficient verbal or written information necessary to properly establish legal possession must be furnished immediately.~~

B. It shall be unlawful for any person to destroy the identity (sex) of any deer killed until the deer is ~~checked~~ reported as required by this section. Successful deer hunters are allowed to dismember the carcass to pack it out from the place of kill as long as they do not destroy the identity of the sex and all the parts of the carcass are present when the deer is ~~checked at a big game check station or reported through the automated harvest reporting system. Any deer that has not been checked (via a big game check station or the automated harvest reporting system) as required by this section found in the possession of any person exempt from license requirements or holding a license authorization number shall be forfeited to the Commonwealth to be disposed of as provided by law.~~

C. Processed carcass parts of a deer killed legally in Virginia may be transported; however, upon request of any authorized law enforcement officer, sufficient verbal or written information necessary to properly establish legal possession must be furnished immediately.

D. Any deer that has not been reported as required by this section found in the possession of any person exempt from license requirements or holding a license authorization number shall be forfeited to the Commonwealth to be disposed of as provided by law.

~~CE~~. Upon killing a deer within an area designated by the department for deer disease management and on days designated by the department, the licensee or permittee shall present the carcass, ~~on the day of kill,~~ at, or submit carcass parts or samples as directed by the department to, a location designated by the department for the purposes of disease surveillance or biological monitoring.

Rationale:

Check stations and check cards. The proposal will remove all references and text related to physical check stations and check cards. The Department of Wildlife Resources (DWR) plans to transition to 100% electronic harvest reporting starting September 1, 2021 at the beginning of the 2021-22 hunting season. All hunters (including those who are not required to purchase a license) who harvest a deer next fall will need to check their harvest by calling DWR (866-GOT-GAME), logging on to gooutdoorsvirginia.com, or by using the eNotch option of the GoOutdoorVA mobile phone application (free though the app store).

Mandatory game checking, a cornerstone of DWR's game management program for more than 70 years, will remain vital for game management in Virginia for many years to come. Thus, it is critical that every hunter report their harvest using one of the electronic reporting systems. Since 2004, DWR has offered some form of electronic reporting, and beginning in 2019 electronic reporting options were available for all species for which reporting is required. In fall 2019, 86% of all deer, 93% of fall turkeys, 100% of spring turkeys, 100% of bobcats, and 58% of all bears were reported through an electronic reporting system.

Format. Over the past several decades changes to this regulation (transportation of processed parts, forfeiture, etc.) have become embedded in unrelated sections. Changes in format made in this version do not change the meaning of the regulation but make it more intuitive and readable.

Mandatory Disease Submission. For most of the past decade, the Department has required deer hunters in CWD positive or at risk areas bring their deer to mandatory CWD sampling check stations staffed by DWR staff and volunteers on designated days; typically the first and/or second Saturday of the firearms deer season. Staff would like to broaden this disease testing in CWD areas to include the mandatory dropping off of deer heads at unmanned collection sites set up in designated areas on designated days/seasons.